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10 Attorneys for Debtor / debtor-in-possession (proposed)

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13 **UNITED STATES BANKRUPTCY COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN JOSE DIVISION**

16 In re:

17 LILLY HUE VU,

18 Debtor / debtor-in-possession.

Case No.: 23-50629 SLJ
Chapter 11

**DECLARATION OF ARASTO
FARSAD IN SUPPORT OF EX-PARTE
APPLICATION TO EMPLOY
GENERAL BANKRUPTCY COUNSEL**

Chief Judge: Hon. Stephen L. Johnson

19 I, Arasto Farsad, hereby declare as follows:

20 1. I am the managing partner at the law firm of Farsad Law Office, P.C., proposed
21 counsel for LILLY HUE VU, the Debtor in the instant case.

22 2. I am a member in good standing of the State Bar of California. I submit this
23 declaration pursuant to 11 U.S.C. §327, Rule 2014(a) and F.R. Bank. P. in support of the
24 concurrently filed Ex Parte Application to Employ General Bankruptcy Counsel.

25 3. The Debtor wishes to employ the Farsad Law Office, P.C. as her counsel to the
26 estate in the instant case.

27 4. I have been practicing bankruptcy in California (all districts / divisions) since
28 2010, and have successfully concluded roughly a thousand Chapter 7 and 13 cases and have
confirmed roughly 60+ Chapter 11 cases. Additionally, I am employed in several other current

DECLARATION OF ARASTO FARASAD IN
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Chapter 11 cases that are on track for confirmation.

5. It is necessary for the Debtor to employ counsel to provide at least the following services:

- a. Assist the Debtor in performing duties as a debtor-in-possession;
- b. Negotiate with the Debtor's creditors;
- c. Prepare a Plan and Disclosure Statement and hopefully obtain confirmation of the proposed Chapter 11 Plan;
- d. Solicit ballots in favor of the proposed Chapter 11 Plan of Reorganization; and
- e. Represent the Debtor in any contested matters or adversary proceedings.

6. Attached as **Exhibit A** to the Debtor's Application is a true and correct copy of The Firm's Engagement Letter.

7. I am a disinterested person within the meaning of 11 U.S.C. §101(14) in that:

- a. I am not a creditor or insider of the Debtor or their estate;
- b. I am not and was not a partner or employee of the Debtor within two years before the date of this Application, and
- c. I do not have an interest materially adverse to the interest of the estate or of any class of creditors or equity holders, office of the United States Trustee, or any employee thereof.
- d. I do not have any connection with the Debtor, creditors, any other party in interest, or their respective attorneys and accountants, the United States Trustee, any person employed in the office of the United States Trustee, or any insider of the Debtor.
- e. I do not employ any person who is related to a judge of this court or the United States Trustee for Region 17.
- f. I have no connection with the Debtor, any creditor(s) in this matter, or any party-in-interest, their respective attorneys, accountants, or the U.S. Trustee, or any employee of the U.S. Trustee.

8. Furthermore, there are no arrangements between the Farsad Law Office, P.C. (and its attorneys) and any other person or persons for the sharing of fees for this case.

9. As our entire Firm will be working on this case together, I believe that we can adequately represent the Debtor in navigating through the instant Chapter 11 case to obtain Chapter 11 Plan confirmation.

10. I will ensure that the Debtor is aware of all of the requirements of being a debtor-in-possession. The Debtor is aware of the fact that our office is being retained as counsel for the estate, and not merely as counsel for the Debtor / debtor-in-possession.

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed June 17, 2023, in San Jose, California.

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4 Respectfully submitted,

5 FARSAD LAW OFFICE, P.C.

6 /s/ Arasto Farsad

7 Arasto Farsad, Esq.

8 Attorneys for Debtor (proposed)

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